Tuesday, April 6, 1965

TESTIMONY OF REPRESENTATIVE OGDEN R. REID BEFORE THE HOUSE JUDICIARY SUBCOMMITTEE ON IMMIGRATION AND NATIONALITY

Mr. Chairman, on February 23, 1965, I introduced along with my colleague from New York, Mr. Horton, a bill which we believe represents an administratively feasible, fair, and thorough reform of our present immigration laws.

It is important that these far-reaching changes be made a matter of clear and progressive law -- equally applicable to all; not subject to caprice and winds of political pressure which can affect administrative judgment.

Mr. Chairman, we are truly a nation of immigrants. If we would honor our heritage we must put an end -- here and now -- to discriminatory national origins quotas, second-class citizenship and divided families.

Specifically, H.R. 5324 is based on three principles which I believe should guide our selection of those who are to become future Americans.

A. The reuniting of families, and the preservation of the home as the fundamental unit of our society.

B. The attraction of those with special skills and talents to enrich our society, our economy, our culture and the whole fabric of our national life.

C. The welcoming of a generous number of refugees from persecution and tyranny in order that they may share our freedom; and that we, seeing it anew through their eyes, will not forget how precious it is to defend.

I would like, Mr. Chairman, to underline two particular concepts.

First, as provided in my proposed Section 201(a)(2)(C), the annual quota of those admitted to the United States should be clearly related to "the actual immigration into the United States of immigrants attributed to each such quota area between July 1, 1924, and July 1, 1964, regardless of whether such immigration was quota or nonquota." The point, it seems to me, is that if we are concerned with the reuniting of families there has to be some relationship to the actual immigration that has entered our country in the last 40 years.

The Administration bill, H.R. 2580, as I understand it, provides that after the five fiscal years following enactment, quota numbers "shall be allocated

within the percentage limitations and in the order of priority (preference) specified in section 203 without regard to the quota to which the alien is chargeable," and subject to the broad recommendations of an advisory Immigration Board as defined in Section 18.

In addition, my bill provides for a specific preference (fourth) and percentage (10 percent) for brothers, sisters, married sons, and married daughters of U.S. citizens; as well as for parents of aliens lawfully admitted for permanent residence. The Administration bill has no specific percentage allotted to fourth preference. In other words, the entire quota could be absorbed by the first three preferences. I believe that the immediate family should be entitled to a specific number of quota allotment.

Second, Mr. Chairman, I feel that immigration, like foreign affairs and civil rights, is far too important for politics. The changes that are made in the law should be progressive and equitable, but they should be made a part of the law not subject to broad administrative discretion.

An expert witness John W. Hanes, Jr. , who has perhaps had more senior experience than any official with our immigration laws as Administrator of the Bureau of Security and Consular Affairs during much of the Eisenhower administration, has written me:

> "The principal faults of the Administration's Bill continue to be (a) that it places the determination of immigration quotas within the realm of administrative discretion, and therefore opensthe floodgates for organized pressures to benefit particular ethnic, religious or other groups; and (b) the basic Bill is administratively unworkable, since, among other things, it will be impossible to determine in advance where visa work loads are to be expected.
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> "Also the basic theory of the Bill is faulty in that it purports to allow potential immigrants themselves to determine the makeup of the American immigration pattern by utilizing a so-called "first come first served" basis for determination of the annual quota. . . . .
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> "Immigration has been and is important to our nation. The makeup of that immigration -- whether it is composed of persons who will be socially assimilable, as well as personally or intellectually or morally desirable -- is an important matter of national policy. It should not be abdicated -- by Congress or, for that matter, by the Executive Branch -- in a mistaken belief that it is more 'democratic' to exercise no judgment and no control. To do so would be roughly similar to deciding that foreign aid programs are desirable, but that it is improper to inquire into the needs or the deserving qualities of potential recipients."

If the fundamental principles of immigration reform are to have true meaning, they must be given a sanction of law not merely the broad expression of intent within a range of broad Administrative discretion.

Mr. Chairman, I ask that a statement on H.R. 5324 and a section by section analysis of the bill be included at an appropriate point in the record of these hearings.

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